

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

RONALD D. BANKS,

Plaintiff,

v.

**BOARD OF TRUSTEES OF
SOUTHERN ILLINOIS UNIVERSITY,
SOUTHERN ILLINOIS
UNIVERSITY-EDWARDSVILLE, and
STATE OF ILLINOIS**

Defendants.

No. 09-0621-DRH

ORDER

HERNDON, Chief Judge:

Now before the Court is the parties' December 16, 2009 stipulation of dismissal (Doc. 23). The parties stipulate to the voluntary dismissal without prejudice of Defendant State of Illinois. The Court **ACKNOWLEDGES** the stipulation and **DISMISSES without prejudice** the State of Illinois. Further, the Court **DENIES as moot** the State of Illinois' motion to dismiss (Doc. 21).

IT IS SO ORDERED.

Signed this 17th day of December, 2009.

/s/ David R. Herndon

**Chief Judge
United States District Court**